

**To:** Murchie, Peter[Murchie.Peter@epa.gov]; Dunbar, Bill[dunbar.bill@epa.gov]  
**Cc:** Holsman, Marianne[Holsman.Marianne@epa.gov]; Opalski, Dan[Opalski.Dan@epa.gov]  
**From:** VanHaagen, Paula  
**Sent:** Tue 4/26/2016 11:40:34 PM  
**Subject:** RE: Draft response letter v5 Dunbar - Attachment  
Grants Q3 House Ag Comm ltr R10 and OGD rev.docx

Hi, Bill and Peter,

Attached is a joint OGD/R10 response to Question #3. I have a partial response from OGD on Q's 5 and 6. Looks like #4 fell through the cracks, I'll get something circulating between OWW and OGD.

Who has the lead on the attachment responding to the questions?

Paula

**From:** Murchie, Peter  
**Sent:** Monday, April 25, 2016 5:57 PM  
**To:** Dunbar, Bill <dunbar.bill@epa.gov>  
**Cc:** McLerran, Dennis <mclerran.dennis@epa.gov>; Pirzadeh, Michelle <Pirzadeh.Michelle@epa.gov>; Holsman, Marianne <Holsman.Marianne@epa.gov>; VanHaagen, Paula <vanhaagen.paula@epa.gov>; Opalski, Dan <Opalski.Dan@epa.gov>  
**Subject:** Re: Draft response letter v5 Dunbar

All

Dan and I have had a chance to sit and review this most recent version. We have some additional edits included below.

Let me know if you need anything else I am available tonight and tomorrow morning.

Thank you

Peter

Dear \_\_\_\_

Thank you for the opportunity to address concerns regarding the “What’s Upstream” website and advertising campaign.

Puget Sound in northwest Washington is the second largest estuary in the U.S. The EPA provides expertise and financial assistance to state, local and tribal governments to support research and restoration projects that help implement Washington's Puget Sound Action Agenda, the state's Comprehensive Conservation and Management Plan required under the Clean Water Act.

In 2010, EPA Region 10 provided a cooperative agreement to the Northwest Indian Fisheries Commission to fund 22 tribes to implement protection and restoration projects consistent with the Puget Sound Action Agenda. The Swinomish Tribe was one of the sub-recipients and, accordingly, has received annual incremental funding for an education and outreach project focused on the critical need to reduce non-point source water pollution.

The Swinomish Tribe’s project included building a public information and awareness website. EPA engaged with the Commission and the Swinomish Tribe regularly to discuss proposed annual workplans and some specific tasks such as the website. Under a cooperative agreement, which is significantly different from a contract, EPA does not have the ability to direct the work of a grantee or sub-recipient. Thus, while EPA provided feedback about the tone and content of the website, not all of our comments were incorporated into the Swinomish Tribe’s products. The Swinomish Tribe did, however, change its approach based on EPA attorneys feedback to be in compliance with relevant provisions of the Anti-Lobbying Act.

We agree that the advertising campaign is an unfortunate and unproductive approach, as we have focused our limited resources on collaborative approaches to solving our environmental challenges. We are particularly proud of the work we’ve done with the agriculture community and the tribes in seeking -- and frequently finding -- common ground on issues such as water quality monitoring, scientific research and uplands restoration projects.

Ultimately, the tenor of “What’s Upstream” campaign distracts from this spirit of collaboration so vital to the efficient stewardship of public resources, and the restoration of Puget Sound.

In an April 18<sup>th</sup> letter (attached) EPA asked the Commission to suspend all expenditures under the sub-award to the Swinomish Tribe and requested the Commission conduct a review of its sub-award to the Tribe. During a Monday April 25<sup>th</sup> meeting, the Commission confirmed that all advertising related to the sub-award had stopped, and costs related to billboard advertising have not and will not be funded with dollars Congress appropriates to EPA. The Commission is continuing its assessment of the sub-award in relationship to EPA’s grants policies and terms and conditions and will be setting up a meeting between EPA, Commission and the Swinomish Tribe to review the results.

In addition to our April 18 letter to the NW Indian Fisheries Commission, I have included an attachment that answers many of your specific questions.

If you have any additional questions...

Sincerely,

Peter Murchie

Manager

Puget Sound and NEP Programs

USEPA Region 10

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On Apr 25, 2016, at 4:36 PM, Dunbar, Bill <[dunbar.bill@epa.gov](mailto:dunbar.bill@epa.gov)> wrote:

Some minor edits per Peter and Paula, both of whom will weigh-in on whether this adequately covers the ground from today’s mtg with the Commission.

<Draft response letter v5 Dunbar.docx>